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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,414	11/09/2001	Rick Korczak	7836/83306	2098
7590	02/09/2006		EXAMINER	
Mitchell J. Weinstein, Esq. WELSH & KATZ, LTD. 22nd Floor 120 S. Riverside Plaza Chicago, IL 60606			MARSH, STEVEN M	
			ART UNIT	PAPER NUMBER
			3632	
DATE MAILED: 02/09/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/046,414	KORCZAK ET AL.
	Examiner Steven M. Marsh	Art Unit 3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 17 October 2005.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-6,8-13,24-26,29-32,37,39,40,49,73-75,78,82,142 and 143 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,3-6,8-12,24-26,29-31,37,39,40,49,73-75,78,82,142 and 143 is/are rejected.

7) Claim(s) 2,13 and 32 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

This is the fifth office action for U.S. Application 10/046,414 for an Anchor Rail Adapter and Hanger Method filed by Korezak et al. on November 9, 2001. Claims 7, 14-23, 27, 28, 33-36, 38, 41-48, 50-72, 76, 77, 79-81, 83-141 have been canceled. Claims 142 and 143 have been added. Applicant's arguments, see Appeal Brief, filed October 17, 2005, with respect to the rejection(s) of claim(s) 1-6, 8-13, 24-26, 29-32, 37, 39, 40, 49, 73-75, 78, 82, 142, and 143 under Kreinberg et al. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Meehan et al.

### ***Claim Rejections - 35 USC § 102***

Claims 1, 8, 9, 24-26, 29, 37, 39, 40, 73-75, 78, 82, 142, and 143 are rejected under 35 U.S.C. 102(b) as being anticipated by Meehan et al. With respect to claims 1, 8, 9, 24-26, 29, 37, 39, and 40, Meehan et al. discloses an adapter (or unitary resilient coupling) that can be used with an anchor rail, with a mounting surface (15) with an opening (54) that can secure the adapter to an article support hanger. There are flanges (16 and 18) depending from the mounting surface and mounting legs (inwardly extending portion between 32, 34 and the flanges) extending from the flanges and configured to bit into a channel. The mounting legs each have a hook-like portion (32 and 34) that can engage a corresponding rail lip and the hook-like portions extend substantially along the width of the leg. The adapter is flexible so that the flanges can

be urged inwardly toward each other to facilitate insertion of a portion of the mounting legs into a U-shaped channel, wherein the hook-like portions can biasingly engage rail lips. The mounting surface is a planar top surface and the hanger is adapted to support articles of different types.

With respect to claims 73-75, 78, 82, 142, and 143, Meehan et al. discloses a unitary resilient adapter (12) with a hanger receiving portion (84 and 86). The adapter has opposed mounting legs (58 and 60) with feet (66 and 68) configured to engage a channel lip and an opening (98). There is an article support hanger 10 with a portion configured to be received by the hanger receiving portion of the adapter. The article support hanger is configured to engage the adapter with a snap action and lock into the hanger receiving portion. The article support hanger can also be stacked and has a provision (24, 34) whereby a second article support hanger could be connected to it. A swivel joint (88) connects the adapter and hanger and the support has a generally U-shaped configuration with support legs that could engage the adapter.

### ***Claim Rejections - 35 USC § 103***

Claims 3-6 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meehan et al. in view of U.S. Patent 5,533,696 to Laughlin et al. Meehan et al. does not disclose a binding element in the form of a tab formed in the inwardly extending portion that is defined by a pair of notches in the inwardly extending portion. Laughlin et al. provides a teaching for providing inwardly extending tabs (72) defined by a pair of notches (on each side of the tab) on the inner leg portion of an adapter to

further secure an object in the receiving space. It would have been obvious to one of ordinary skill in the art at the time of the present invention to have provided the tabs taught by Laughlin et al., on the interior of the legs taught by Meehan et al., for the purpose of further securing an object in the adapter.

Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meehan et al. Meehan et al. does not specifically disclose a curved mounting surface for mounting the hanger. However, the shape of the mounting surface is a matter of design preference that would have been obvious to one of ordinary skill in the art at the time of the present invention.

Claims 11, 12, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meehan et al. in view. Meehan et al. does not specifically disclose a threaded collar around the opening (54), but it is well known in the art to provide threaded collars for the purpose of securing threaded fasteners (94) into apertures and such a modification would have been obvious to one of ordinary skill in the art at the time of the present invention.

#### ***Allowable Subject Matter***

Claims 2, 13, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

Applicant's arguments with respect to claims 1, 3-6, 8-12, 24-26, 29-31, 37, 39, 40 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Marsh whose telephone number is (571) 272-6819. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30 PM. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

*SM*  
Steven M. Marsh  
February 2, 2006

*Ramon O. Ramirez*  
RAMON O. RAMIREZ  
PRIMARY EXAMINER